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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

RICKIE L. HILL,

Petitioner,

v.

RENEE BAKER, et al.,

Respondents.

Case No. 3:14-cv-00680-RCJ-WGC

ORDER

On May 21, 2019, this court denied *pro se* § 2254 habeas petitioner Rickie L. Hill's motion for stay and abeyance in accordance with *Rhines v. Weber* (ECF No. 73). The court directed Hill to select one of two options:

1. submit a sworn declaration voluntarily abandoning the unexhausted claims in his federal habeas petition, and proceed only on the exhausted claims; or
2. submit a sworn declaration stating that he wishes to return to state court to exhaust his unexhausted claims, in which case his federal habeas petition will be dismissed without prejudice.

In response, Hill has filed a declaration indicating that he wishes to return to state court to exhaust his unexhausted claims (ECF No. 74). Thus, his petition is dismissed without prejudice.

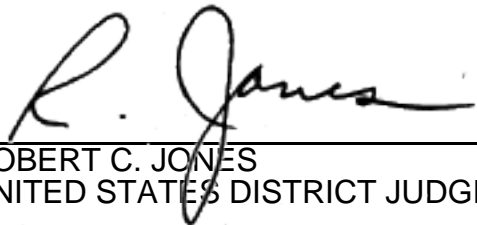
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**IT IS THEREFORE ORDERED** that the petition is **DISMISSED** without prejudice.

**IT IS FURTHER ORDERED** that to the extent that it is necessary in this context a certificate of appealability is denied.

**IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close this case.

DATED this 23<sup>rd</sup> day of December, 2019.

  
ROBERT C. JONES  
UNITED STATES DISTRICT JUDGE